

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JALIL FOTY,

Plaintiff,

No. 17-14026

v.

District Judge Denise Page Hood  
Magistrate Judge R. Steven Whalen

EQUIFAX INFORMATION  
SERVICES, LLC,

Defendant.

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**ORDER**

Plaintiff has filed a motion to compel the deposition of Defendant's corporate representative [Doc. #20]. The deposition was initially requested on July 5, 2018, eight days before the July 13, 2018 close of discovery. Plaintiff served a formal deposition notice, with deposition topics, on July 10, 2018, three days before the close of discovery.

On July 26, 2018, I held a telephonic conference with counsel to explore a possible resolution of this motion. However, it appears that Defendant has some objections to the deposition topics, and apart from that, it would be logistically difficult to schedule a deposition earlier than two or three weeks out. This would impact this Court's scheduling order [Doc. #14], which sets a dispositive motion cut-off of August 17, 2018 and a final pretrial conference for November 26, 2018. For this reason, the late notice of deposition therefore creates prejudice to both Defendant and to the Court.

Accordingly, Plaintiff's motion to compel deposition [Doc. #20] is DENIED WITHOUT PREJUDICE. Plaintiff may re-notice the deposition or renew this motion, as necessary, if the Court extends the scheduling order.

IT IS SO ORDERED.

Dated: July 26, 2018

s/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

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**CERTIFICATE OF SERVICE**

I hereby certify on July 26, 2018 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on July 26, 2018.

s/Carolyn M. Ciesla  
Case Manager for the  
Honorable R. Steven Whalen